

O. C. BOSBYSHELL.

JANUARY 28, 1897.—Committed to the Committee of the Whole House and ordered to be printed.

Mr. BRUMM, from the Committee on Claims, submitted the following  
REPORT.

[To accompany H. R. 9985.]

The Committee on Claims, to whom was referred the bill (H. R. 9985) for the relief of O. C. Bosbyshell, late superintendent United States Mint at Philadelphia, Pa., having given the same careful consideration, beg leave to report it back to the House with recommendation that it be passed.

The facts are as follows:

In 1882, by regular transfer, there was brought from the United States assay office in New York to the mint of the United States at Philadelphia a large quantity of gold bullion in bars, which bars for lack of proper storage facilities were piled up in one corner of the vault attached to the weigh clerk's room. They remained thus loosely piled until the annual settlement of June, 1887, when the examiner of the Mint Bureau, now Director of the Mint, Hon. Robert E. Preston, who was making the settlement, directed that they be weighed, counted, and placed in a wire cage built across the end of the vault named. This was done to prevent the handling of the bars any oftener than need be. The door of the cage was locked, straps were run through the meshes of the wires across the openings, and seals were placed thereon to prevent the opening of the same without destroying the seals. A certificate was attached certifying to the correctness of the count and to the contents, which certificate was signed by Robert E. Preston. Not anything was said or intimated at the time that the gold bullion thus locked up was for the purpose of coinage, or that it was other than a Treasury deposit. It remained in the mint unused until September, 1893, a period of over eleven years.

At the annual settlements of the mint in 1888, 1889, 1890, 1891, 1892, and 1893 the officials from the Mint Bureau, finding the locks and seals of the cage mentioned intact, gave the superintendent credit for the full amount inclosed, as stated by the certificate attached.

Oliver C. Bosbyshell assumed the position of superintendent of the mint of the United States at Philadelphia on the 1st of November, 1889, relieving the Hon. Daniel M. Fox. The transfer was made under the direction of the Bureau of the Mint, represented by Mr. Preston. The locks and seals upon the cage containing the gold bullion were carefully examined, and being found intact, it was considered safe by those officially present for Colonel Bosbyshell to receive and receipt for the bullion according to the certificate signed by Mr. Preston, without counting, following the custom of the Washington officials in the annual settlements.

No keys to the cage were ever delivered to Colonel Bosbyshell. He had access to every other vault in the mint, but no access whatever to this cage.

At the time the bullion was placed in the cage, i. e., in 1887, a space of about an inch was left between the bottom of the door and the

asphaltum floor, sufficient to slide a gold bar, of the size inclosed therein, through. A number of large silver bars were piled against the cage, covering this opening. When these were subsequently removed a small gold bar was found protruding from beneath the door of the cage. The authorities then placed a heavy plank against this opening, securely fastening it to iron stakes driven in the asphaltum floor, as well as to adjoining cages. This was done two months before Colonel Bosbyshell became superintendent.

In September, 1893, the cage was opened by orders from the Mint Bureau, and in the presence of Government officials from Washington.

There is strong presumption from the facts that the theft of bullion occurred before the incumbency of Colonel Bosbyshell, thereby explaining his receipt. Bars could be removed before the plank was placed at the bottom of the cage, but not afterwards, unless the plank was disturbed.

The gold bullion was received by Colonel Bosbyshell, according to the precedent established by the Government officials in the accounting at every annual settlement of the mint accounts, subsequent to the sealing up of this bullion.

The superintendent of the mint is under the control of the Bureau of the Mint at Washington, so far as the appointment of subordinates and the manner and regulation of the mint countings and settlements are concerned.

Henry S. Cochran, weigh clerk of the Philadelphia mint, was convicted of the theft of the gold bullion in question. The United States recovered on his bond \$10,000, and in execution against his property. He is now serving a term of imprisonment in the Eastern Penitentiary.

There is no evidence to show that Colonel Bosbyshell was other than a faithful, efficient, and careful officer, and that he did not faithfully and diligently execute and discharge the duties of his office, or that the theft in question occurred through any act of negligence on his part.

The amount of the judgment of the United States against Colonel Bosbyshell is \$14,448.20.

TREASURY DEPARTMENT, BUREAU OF THE MINT,  
*Washington, D. C., January 16, 1897.*

From the records of the Department it appears that Col. O. C. Bosbyshell was appointed register of deposits in the mint at Philadelphia in 1869. A few years later he was appointed assistant coiner, which position he continued to occupy until 1885, when he resigned to accept a position in the comptroller's office of the city of Philadelphia. In 1889 he was appointed superintendent of the mint. In entering upon his duty as superintendent he found there many persons who had been employed and associated with him during his previous connection with the mint, all of whose integrity had been unquestioned, and he receipted for the large amount of silver dollars and of gold bullion on the statement of those who had charge that the amount called for by the books was on hand.

Reposing faith in the statements made him, he did not have the large amount of gold and silver bullion and silver dollars weighed and counted.

Personally I have no doubt that all the bullion and coin for which Colonel Bosbyshell receipted for was actually in the mint at that time, and the embezzlement of gold bullion was afterwards committed by Henry S. Cochran, weigh clerk, and who had been connected with the mint for over forty years.

The superintendent of the mint is of necessity compelled to trust a great deal to subordinates. Of Colonel Bosbyshell's personal honesty there is no doubt whatever, and I think it would be a matter of justice if Congress would pass a bill for his relief, which has been done on several occasions when embezzlements or losses have occurred in the office of the Treasurer of the United States.

R. E. PRESTON.